

**Minutes of the Regular Planning Board Meeting  
Monday, September 12, 2005 – 7:00 p.m.**

1. CONVENE: 7:06 p.m.
2. FLAG SALUTE: Mr. Lynch
3. ROLL CALL: President Cunningham, Vice President Cook, Kohlstrand, Lynch, McNamara, and Piziali.

Board member Mariani was absent.

Also present were Supervising Planner Cynthia Eliason, Assistant City Attorney David Brandt, Deputy City Attorney Julie Harryman, Contract Planner Chandler Lee, Planner III Douglas Garrison.

4. MINUTES:
  - a. Minutes for the meeting of August 8, 2005 (**continued from the meeting of August 22, 2005.**).

M/S Piziali/McNamara to approve the minutes for the meeting of August 8, 2005, as presented.

A quorum for a vote on the minutes was not present. They will be carried over to the next meeting.

- b. Minutes for the meeting of August 22, 2005.

President Cunningham advised a member of the public, Ms. Dorothy Reid, requested that page 15, paragraph 6, re the Target store, be changed to read: “She did ~~not~~ believe this project should disrupt the lives of the area homeowners. *She asked why the public notice to this request only stated it was for an additional 49,650 square feet, and asked when an additional 90,000 square feet for this building was approved. The current Safeway is only 34,000 square feet, so the additional square footage is actually 111,000 square feet. She presented pictures that showed the Safeway’s building’s height, which she believed is misrepresented in the architectural drawings presented by the applicant.*” He did not have any objection to entering this additional language into the minutes.

M/S Cook/Kohlstrand to approve the minutes for the meeting of August 22, 2005, as corrected.

AYES – 5 (Mariani absent); NOES – 0; ABSTAIN – 1 (McNamara)

5. AGENDA CHANGES AND DISCUSSION:

President Cunningham advised that a speaker slip had been received for Item 8-A. Mr. Piziali requested that Item 8-C be pulled from the Consent Calendar.

M/S Cook/Kohlstrand and unanimous to remove Items 8-A and 8-C from the Consent Calendar, and to place them on the Regular Agenda.

AYES – 6 (Mariani absent); NOES – 0; ABSTAIN – 0

6. ORAL COMMUNICATIONS: None.

7. 2005-2006 ELECTION OF PLANNING BOARD OFFICERS  
**(Continued from the meeting of August 22, 2005.)**

President Cunningham advised that it was customary for a full Board to be seated for an election, and that it should be continued until then.

8. CONSENT CALENDAR:

- 8.A. Status Report and request for extension of time for construction allowed under Planned Development Amendment PDA02-0003 and Major Design Review DR02-0095, located at 2160 Otis Drive, South Shore Shopping Center (DG). **(Continued from the meeting of August 22, 2005.)**

Mr. Garrison presented the staff report, and noted that while the applicant has met all the vesting requirements, they have not completed the construction. The applicant requested two additional years to complete construction.

The public hearing was opened.

Ms. Dorothy Reid, 2101 Shoreline Drive #201, distributed a chart to illustrate her comments, and noted that there was confusion over what PDA-02-A2-03 was for. She noted that PDA-02 only approved the four yellow highlighted buildings, as well as the July 2003 site plan; Trader Joe's was already built. She was concerned about approving construction for two more years on one-and-a-half buildings, and that whether there would be a clear understanding regarding the PDA. She believed there was confusion between building square footage and GLA, which were two very different numbers. She noted that the current construction did not expire until January 28, 2006, and would like to wait to approve this item until there was more clarity regarding the entire site. She believed that specific numbers should be cited, and was also concerned about the proposed amendment to Paragraph 2: "Any substantial alteration will require a new PDA and Design Review." She believed that the word "substantial" should be clarified. She did not understand the purpose of Paragraph 21, even in the original PDA. Rather than modifying this paragraph, she believed it should be struck entirely.

The public hearing was closed for Board discussion.

Mr. Garrison noted that the only language addressed by staff specifically dealt with the construction timeline; the other comments are outside of the scope addressed by staff at this time. In terms of the square footage questions and the map, the construction was approved for the area where Walgreen's and Beverly's are located. He would have to look at the current Safeway building permit plans to clarify the apparent square footage discrepancy.

In response to an inquiry by Ms. McNamara, Mr. Garrison noted that the reason the entire PDA proposed at that time was not approved. The Planning Board wanted to get additional information on the shoreline area, as well as some other areas. The applicant was directed to return with a proposal for a new gas station and to redo the shoreline area; that was where the current PDA application was relevant and is being reviewed by the City. He noted that it was not critical to the resolution, and could be deleted.

In response to an inquiry by Mr. Lynch, Ms. Eliason replied that the Walgreen's was in plan check. Mr. Lynch noted that the timeline was created with the expectation of a certain type of performance.

He noted that since the plans were with the City, the City has not performed; therefore, the applicant needed an extension for the construction site. He added that the Board had voiced strong concerns regarding the parcel as a whole along the shoreline areas.

Ms. Kohlstrand expressed concern about the staff recommending a public hearing, and indicating in the resolution that the Board held a hearing when the item goes on the Consent Calendar. Ms. Eliason advised that a Consent Calendar item was considered to be a public hearing.

Vice President Cook noted that she was comfortable with the extension, and would like to have staff's comments at an appropriate time to understand the square footage issues.

President Cunningham echoed Vice President Cook's comments, and would like further discussion of square footage to GLA.

Mr. Lynch suggested that Item 8-A be used as a reference point in terms of formatting for staff's use.

M/S Kohlstrand/McNamara and unanimous to adopt Planning Board Resolution No. PB-05-36 to approve an extension of time for construction allowed under Planned Development Amendment PDA02-0003 and Major Design Review DR02-0095, located at 2160 Otis Drive, South Shore Shopping Center.

AYES – 6 (Mariani absent); NOES – 0; ABSTAIN – 0

8-B. **Applicant requests approval of a Use Determination that coffee roasting and ancillary uses are similar to other uses permitted in the C-M, Commercial-Manufacturing District (CL).** C-M Districts are located City-wide. Applicant: City of Alameda.

M/S Cook/Piziali and unanimous to adopt Planning Board Resolution No. PB-05-36 to approve a Use Determination that coffee roasting and ancillary uses are similar to other uses permitted in the C-M, Commercial-Manufacturing District (CL).

AYES – 6 (Mariani absent); NOES – 0; ABSTAIN – 0

8.C. **Use Permit No. UP-05-0009 – Alameda Reuse and Redevelopment Authority/Area 51 Productions, Inc. – Northwest Territories, Alameda Point (ATh).** The Alameda Reuse and Redevelopment Authority requests an Interim Use Permit revision to allow the lease of the Northwest Territories to hold temporary trade show festivals, for up to two weeks in length. The site is located in the M-2-G, General Industry (Manufacturing) Special Government Combining Zoning District.

Ms. Eliason summarized the staff report.

The public hearing was opened.

Mr. John Walker, applicant, noted that he had worked with these shows for the last eight years, and that the City requested that he revise his Use Permit because of the success of the shows. He noted that his client base was largely composed of Fortune 500 companies, including General Motors.

Mr. Piziali noted that he had gotten the impression that the Planning Board was handing over the choice of what type of shows would be there to the ARRA, and that he was concerned about that possibility. He did not have a problem with Area 51 Productions.

Ms. Eliason noted that the Board should consider this a Master Use Permit for the Northwest Territories for the temporary trade shows, so that each trade show did not have to come back to the Board each time. Staff has found that over the years, the conditions placed on the trade shows were fairly standard, and that it was often difficult to hold the hearings in time for the trade show.

Mr. Piziali noted that the resolution states that the Board members examined maps, drawings and documents, and noted he did not have those items. He was aware that the events were fine, but would like more information. He emphasized that he did not want to micromanage these events, and relied on staff to ensure that ARRA did not allow events that would upset the residents.

Ms. Eliason confirmed that the only events would be trade shows in the Northwest Territories.

Mr. Walker noted that he has managed events all over the world since 1967, and that he was a San Francisco native. He added that he was very protective of the Base, and noted that for every show he produced, he turned down ten.

Vice President Cook noted that Use Permits ran with the land, rather than the tenant, and noted that while the applicant was an excellent tenant, future tenants may not meet that standard. She was concerned with the breadth of the types of uses and the potential length.

Ms. Eliason advised that Interim Use Permits were different than regular Use Permits because this was an agreement between the ARRA and Area 51 Productions in this case. This Interim Use Permit does not grant anyone else the ability to hold trade shows, and they would still have to go through a separate Use Permit process. This temporary Use Permit expires after five years, which was the reason this permit was brought back to the Board.

Mr. Walker advised that the trucks used for loading were generally staged the evening before so they did not impact peak traffic. He added that there were very few venues for public trade shows in the Bay Area, and that the Cow Palace was antiquated and inadequate.

Ms. Debbie Potter, Base Reuse and Redevelopment Manager, noted that the City had a contract with PM Realty Group, which acts as the City's property management agent. PM Realty Group collects leases on behalf of the ARRA. The revenue went directly to the ARRA, and the master developer is not involved in the ARRA's interim leasing program. She added that PM Realty Group was strictly the ARRA's agent; all of the funds collected by them on behalf of the ARRA are deposited into the ARRA's account.

The public hearing was closed for Board discussion.

Mr. Piziali noted that he was largely interested in the appropriateness of the event, rather than the economics of how the Base was run. He noted that his question had been answered.

M/S Piziali/Lynch to adopt Planning Board Resolution No. PB-05-37 to approve an Interim Use Permit revision to allow the lease of the Northwest Territories to hold temporary trade show festivals, for up to two weeks in length.

AYES – 5 (Mariani absent); NOES – 1 (Cook); ABSTAIN – 0

9. REGULAR AGENDA ITEMS:

9-A. Nomination of two Planning Board members to the South Shore Shopping Center working group.

There was no staff report.

The public hearing was opened.

Ms. Dorothy Reid, 2101 Shoreline Drive #201, supported going forward with this process and believed it would help everyone understand the history and process of this project. She hoped that solutions could be reached.

Ms. Susan Pieper, 2101 Shoreline Drive #299, applauded the City for establishing the workshop process, and noted that she had considerable experience in dealing with land use issues, from different points of view. She noted that the best results came from putting the interested parties together to listen to each other, to try to negotiate a win/win situation in their recommendations. She urged the Board to take this process seriously.

Mr. Tim Erway, President, Willows Homeowners Association, 2101 Shoreline Drive, thanked the City for establishing this workgroup, and reviewed the background of their involvement in this project.

In response to an inquiry by Ms. McNamara regarding the makeup of the group, Ms. Eliason replied that two Board members would be included, which would not be a Brown Act issue.

Mr. Piziali expressed concern about too many cooks ruining the soup, and inquired about the size of the working group.

The public hearing was closed for Board discussion.

Mr. Garrison noted that the idea was to accomplish project goals, so a manageable size was essential. The immediate neighbors have been contacted, as well as the medical facilities. He believed that a couple of representatives from each group would be ideal. He believed that representatives from Public Works may be included to answer specific questions about traffic, and anticipated several representatives from the applicant as well. He noted that a representative from Target may be included.

In response to an inquiry by Ms. McNamara regarding the objective of the group, Mr. Garrison replied that immediate neighbors had raised concerns and the City hoped to get them together with the applicant to address those issues before decision was required from the Board.

Mr. Lynch believed that the workgroup would be productive if the individual groups could exchange ideas and come to a common understanding. He supported this idea.



President Cunningham supported this kind of dialogue, but was concerned about potential circumnavigation of the public process.

Ms. Kohlstrand thanked staff for the information, and noted that she believed that this kind of working group was important to understand the concerns. She recalled concerns expressed by Board members during the Bridgeside workgroups that they felt as if they had to buy into a decision before it came back to the full Board. She believed that a smaller group would be more doable. *She believed it would be better without a Planning Board representative on the committee.*

Ms. Eliason noted that the full Board and public workshops and hearings would be still be held.

Vice President Cook supported a workshop model that was more open and interactive. She had found the Bridgeside process to be very frustrating, and added that members of the public spoke in different capacities. She wanted to know who was accountable to whom. She was hesitant to start a new workgroup model without more information and consensus.

Mr. Garrison did not anticipate this process to be a lengthy one.

A discussion regarding time commitment and workgroup structure ensued.

Mr. Piziali believed it was very important for the public to attend these workshops, but was not sure it was necessary for Board members to attend. He would be willing to have staff, the applicant, and representatives of the neighboring properties to attend these workgroups.

Vice President Cook was concerned about the notion of participants believing they would be negotiating during these meetings, and added that there was no accountability.

Mr. Lynch noted that these meetings dealt with the City Council' constituency, and that for the Board to take an active role at this stage would be problematic.

Ms. Kohlstrand agreed with Mr. Lynch's concerns, and emphasized that while it was important for staff, the applicant and the public to meet, she did not believe the Planning Board needed to sanction it at this point.

Vice President Cook requested more information about specific workshop details, such as number of workshops, accommodation for different schedules, and what kind of facilitator would be used.

Mr. Piziali agreed that a neutral facilitator was crucial to the success of these workgroups.

Ms. Kohlstrand suggested that staff also meet with the members of the Willows Homeowners Association to discuss their concerns.

Mr. Lynch noted that it was important to redefine what the applicant wants, and added that not every

point would have agreement.

Ms. Eliason advised that the Board's concerns had been noted, and that they would be passed on to the applicant.

No action was taken.

10. WRITTEN COMMUNICATIONS: None.

11. BOARD COMMUNICATION:

- a. Oral Status Report regarding the Northern Waterfront Plan (Vice-President Cook).

Vice President Cook advised that there was nothing new to report.

- b. Oral Status Report regarding the Golf Course Committee (Board Member Piziali).

Mr. Piziali advised there was nothing new to report.

- c. Oral Status Report regarding the Oakland/Chinatown Advisory Committee (Board member Mariani).

Ms. Mariani was not in attendance to present this report.

- d. Oral Status Report regarding the Transportation subcommittee (Board member Kohlstrand).

Ms. Kohlstrand advised that a meeting had been held on August 17, 2005, and noted that it was led by the Chair of the Transportation Commission. She believed he was trying to establish a new classification system for the roadways in Alameda. A very useful discussion was held, and people leaned toward a recommendation of using a more multimodal type of classification system; both vehicles, buses, bicycle and pedestrian use would be included. They anticipated presenting a proposal for street classifications at the next meeting.

12. STAFF COMMUNICATION:

Ms. Eliason advised that a special meeting would be held on Thursday, September 29, 2005 to hear the Use Permits associated the Alameda theatre and Cineplex. Staff wanted to ensure that everyone could be accommodated, and that the Elks Club was secured for an overflow crowd.

13. ADJOURNMENT TO CLOSED SESSION: 8:31 p.m.

13-A. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to (b) of section 54956.9 number of cases: 1

14. ADJOURNMENT: 9:10 p.m.

Respectfully submitted,

Paul Benoit, Interim Secretary  
Planning & Building Department

These minutes were approved at the September 26, 2005, Planning Board meeting. This meeting was audio and video taped.